

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOSE RODRIGUEZ, et al.,	:	
	:	
Plaintiffs,	:	
	:	22 Civ. 2982 (LGS)
-against-	:	
	:	<u>ORDER</u>
TARGET CORPORATION, et al.,	:	
Defendants.	:	
-----X	:	

LORNA G. SCHOFIELD, District Judge:

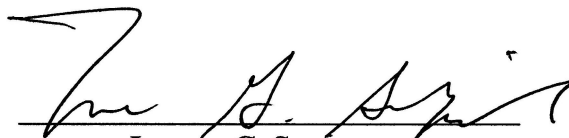
WHEREAS, on July 13, 2022, Defendant Target Corporation (“Target”) filed a motion to dismiss the First Amended Complaint in this action, which named only Target as a Defendant, and as of August 26, 2022, the motion was fully briefed;

WHEREAS, on August 31, 2022, Plaintiffs filed a Second Amended Complaint (the “SAC”) naming Lang Pharma Nutrition, Inc. (“Lang”) as a Defendant. It is hereby

ORDERED that Target’s motion to dismiss and motion for oral argument at **DENIED** as moot. If Target intends to renew its motion to dismiss as to the SAC, Target shall file a notice of motion by **September 9, 2022**. Target’s renewed motion will be decided on the papers already submitted by both sides in support of and opposition to Target’s earlier motion. If either side believes that any additional briefing is required in light of the SAC, either side may file a letter, not to exceed three pages, by **September 9, 2022**. If Lang also moves to dismiss, Lang and Plaintiffs will have a separate opportunity to brief that motion.

The Clerk of Court is respectfully directed to close the motions at Dkt. Nos. 24 and 34.

Dated: September 1, 2022
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE